

FEB 26 2008

LAW OFFICES

# KILYK & BOWERSOX, P.L.L.C.

*Intellectual Property Law*

From the Desk of  
**LUKE A. KILYK\***

400 Holiday Court  
Suite 102  
WARRENTON, VA 20186

FAIRFAX OFFICE  
3603-E Chain Bridge Road  
Fairfax, Virginia 22030

Email: lkilyk@kbpattentlaw.com  
Website: <http://www.kbpattentlaw.com>

TEL.: (540) 428-1701  
FAC.: (540) 428-1720  
(540) 428-1721

\*Admitted only in PA and DC

PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

## FACSIMILE TRANSMISSION COVER SHEET

DATE: February 26, 2008

TO: Examiner Alex Kok Soon Liew  
Group Art Unit 2624  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 10/689,755  
For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD  
AND RECORD MEDIUM FOR THE IMAGE PROCESSING APPARATUS  
Our Ref: 3140-016

FROM: Luke A. Kilyk, Esq. *YK*

FAC. TEL. NO.: 1-571-273-8300

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 14

Items Attached: Amendment -- 10 pages  
Request for Continued Examination -- 1 page  
Fee Transmittal -- 1 page  
Credit Card Payment Form -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on February 26, 2008.

Kim Blum  
Name (Print)

*Kim Blum*  
Signature

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

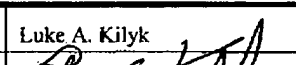
FEB 26 2008

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2008				Complete if Known																																																																																																																																																																																																																																																	
Effective 10/01/2003. Patent fees are subject to annual revision. <input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27				Application Number																																																																																																																																																																																																																																																	
				10/689,755																																																																																																																																																																																																																																																	
				Filing Date																																																																																																																																																																																																																																																	
				October 21, 2003																																																																																																																																																																																																																																																	
				First Named Inventor																																																																																																																																																																																																																																																	
		Kazuhiro SAEKI																																																																																																																																																																																																																																																			
Examiner Name		Alex Kok Soon Liew																																																																																																																																																																																																																																																			
Art Unit		2624																																																																																																																																																																																																																																																			
Attorney Docket No.		3140-016																																																																																																																																																																																																																																																			
TOTAL AMOUNT OF PAYMENT (\$)				1,020.00																																																																																																																																																																																																																																																	
METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																																																																																	
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 50-0925 Deposit Account Name: Kilyk & Bowersox, P.L.L.C.																																																																																																																																																																																																																																																					
The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																																																																																																																																																																																					
FEE CALCULATION																																																																																																																																																																																																																																																					
1. BASIC FILING FEE				3. ADDITIONAL FEES																																																																																																																																																																																																																																																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1011</td> <td>2011</td> <td>310</td> <td>155</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1012</td> <td>2012</td> <td>210</td> <td>105</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1013</td> <td>2013</td> <td>210</td> <td>105</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1014</td> <td>2014</td> <td>310</td> <td>155</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005</td> <td>210</td> <td>2005</td> <td>105</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td><b>(\$)</b></td> </tr> <tr> <td colspan="5"></td> <td><b>0.00</b></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1011	2011	310	155	Utility filing fee		1012	2012	210	105	Design filing fee		1013	2013	210	105	Plant filing fee		1014	2014	310	155	Reissue filing fee		1005	210	2005	105	Provisional filing fee		<b>SUBTOTAL (1)</b>					<b>(\$)</b>						<b>0.00</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>2051</td> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>2052</td> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>2053</td> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>2251</td> <td>120</td> <td>60</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>2252</td> <td>460</td> <td>230</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>2253</td> <td>1050</td> <td>525</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>2254</td> <td>1640</td> <td>820</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2255</td> <td>2,230</td> <td>1,115</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>2401</td> <td>510</td> <td>255</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>2402</td> <td>510</td> <td>255</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>2403</td> <td>1,030</td> <td>515</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>2451</td> <td>1,510</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>2452</td> <td>510</td> <td>255</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>2453</td> <td>1,540</td> <td>770</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>2501</td> <td>1,440</td> <td>720</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>2502</td> <td>820</td> <td>410</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>2503</td> <td>1,130</td> <td>565</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1464</td> <td>1460</td> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>1807</td> <td>50</td> <td>50</td> <td>Processing fee for provisional applications</td> <td></td> </tr> <tr> <td>1806</td> <td>1806</td> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>8021</td> <td>40</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>2809</td> <td>810</td> <td>405</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>2810</td> <td>810</td> <td>405</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>2801</td> <td>810</td> <td>405</td> <td>Request for Continued Examination (RCE)</td> <td>810.00</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="5">Other fee (specify)</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (3)</b></td> <td><b>(\$)</b></td> </tr> <tr> <td colspan="5"></td> <td><b>810.00</b></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1051	2051	130	65	Surcharge - late filing fee or oath		1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet		1053	2053	130	130	Non-English specification		1812	2520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	2251	120	60	Extension for reply within first month		1252	2252	460	230	Extension for reply within second month		1253	2253	1050	525	Extension for reply within third month		1254	2254	1640	820	Extension for reply within fourth month		1255	2255	2,230	1,115	Extension for reply within fifth month		1401	2401	510	255	Notice of Appeal		1402	2402	510	255	Filing a brief in support of an appeal		1403	2403	1,030	515	Request for oral hearing		1451	2451	1,510	1,510	Petition to institute a public use proceeding		1452	2452	510	255	Petition to revive - unavoidable		1453	2453	1,540	770	Petition to revive - unintentional		1501	2501	1,440	720	Utility issue fee (or reissue)		1502	2502	820	410	Design issue fee		1503	2503	1,130	565	Plant issue fee		1464	1460	130	130	Petitions to the Commissioner		1807	1807	50	50	Processing fee for provisional applications		1806	1806	180	180	Submission of Information Disclosure Stmt		8021	8021	40	40	Recording each patent assignment per property (times number of properties)		1809	2809	810	405	Filing a submission after final rejection (37 CFR 1.129(a))		1810	2810	810	405	For each additional invention to be examined (37 CFR 1.129(b))		1801	2801	810	405	Request for Continued Examination (RCE)	810.00	1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify)						<b>SUBTOTAL (3)</b>					<b>(\$)</b>						<b>810.00</b>
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																
1011	2011	310	155	Utility filing fee																																																																																																																																																																																																																																																	
1012	2012	210	105	Design filing fee																																																																																																																																																																																																																																																	
1013	2013	210	105	Plant filing fee																																																																																																																																																																																																																																																	
1014	2014	310	155	Reissue filing fee																																																																																																																																																																																																																																																	
1005	210	2005	105	Provisional filing fee																																																																																																																																																																																																																																																	
<b>SUBTOTAL (1)</b>					<b>(\$)</b>																																																																																																																																																																																																																																																
					<b>0.00</b>																																																																																																																																																																																																																																																
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																
1051	2051	130	65	Surcharge - late filing fee or oath																																																																																																																																																																																																																																																	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																																	
1053	2053	130	130	Non-English specification																																																																																																																																																																																																																																																	
1812	2520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																																																																																	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																	
1251	2251	120	60	Extension for reply within first month																																																																																																																																																																																																																																																	
1252	2252	460	230	Extension for reply within second month																																																																																																																																																																																																																																																	
1253	2253	1050	525	Extension for reply within third month																																																																																																																																																																																																																																																	
1254	2254	1640	820	Extension for reply within fourth month																																																																																																																																																																																																																																																	
1255	2255	2,230	1,115	Extension for reply within fifth month																																																																																																																																																																																																																																																	
1401	2401	510	255	Notice of Appeal																																																																																																																																																																																																																																																	
1402	2402	510	255	Filing a brief in support of an appeal																																																																																																																																																																																																																																																	
1403	2403	1,030	515	Request for oral hearing																																																																																																																																																																																																																																																	
1451	2451	1,510	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																	
1452	2452	510	255	Petition to revive - unavoidable																																																																																																																																																																																																																																																	
1453	2453	1,540	770	Petition to revive - unintentional																																																																																																																																																																																																																																																	
1501	2501	1,440	720	Utility issue fee (or reissue)																																																																																																																																																																																																																																																	
1502	2502	820	410	Design issue fee																																																																																																																																																																																																																																																	
1503	2503	1,130	565	Plant issue fee																																																																																																																																																																																																																																																	
1464	1460	130	130	Petitions to the Commissioner																																																																																																																																																																																																																																																	
1807	1807	50	50	Processing fee for provisional applications																																																																																																																																																																																																																																																	
1806	1806	180	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																	
8021	8021	40	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																	
1809	2809	810	405	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																	
1810	2810	810	405	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																	
1801	2801	810	405	Request for Continued Examination (RCE)	810.00																																																																																																																																																																																																																																																
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																	
Other fee (specify)																																																																																																																																																																																																																																																					
<b>SUBTOTAL (3)</b>					<b>(\$)</b>																																																																																																																																																																																																																																																
					<b>810.00</b>																																																																																																																																																																																																																																																
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE																																																																																																																																																																																																																																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>2202</td> <td>50</td> <td>25</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201</td> <td>2201</td> <td>210</td> <td>105</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203</td> <td>2203</td> <td>370</td> <td>185</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>1204</td> <td>2204</td> <td>210</td> <td>105</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205</td> <td>2205</td> <td>50</td> <td>25</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td><b>(\$)</b></td> </tr> <tr> <td colspan="5"></td> <td><b>210.00</b></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1202	2202	50	25	Claims in excess of 20		1201	2201	210	105	Independent claims in excess of 3		1203	2203	370	185	Multiple dependent claim, if not paid		1204	2204	210	105	**Reissue independent claims over original patent		1205	2205	50	25	**Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					<b>(\$)</b>						<b>210.00</b>																																																																																																																																																																																																		
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																
1202	2202	50	25	Claims in excess of 20																																																																																																																																																																																																																																																	
1201	2201	210	105	Independent claims in excess of 3																																																																																																																																																																																																																																																	
1203	2203	370	185	Multiple dependent claim, if not paid																																																																																																																																																																																																																																																	
1204	2204	210	105	**Reissue independent claims over original patent																																																																																																																																																																																																																																																	
1205	2205	50	25	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																	
<b>SUBTOTAL (2)</b>					<b>(\$)</b>																																																																																																																																																																																																																																																
					<b>210.00</b>																																																																																																																																																																																																																																																
** or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																																																																					
SUBMITTED BY				Complete (if applicable)																																																																																																																																																																																																																																																	
Name (Print/Type)		Luke A. Kilyk		Registration No. (Attorney/Agent)																																																																																																																																																																																																																																																	
				33,251																																																																																																																																																																																																																																																	
Signature				Telephone																																																																																																																																																																																																																																																	
				1-540-428-1701																																																																																																																																																																																																																																																	
				Date																																																																																																																																																																																																																																																	
				February 26, 2008																																																																																																																																																																																																																																																	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on February 26, 2008.

Kim Blum  
Name (Print)

  
Signature